

JUL 11 2006

REMARKS

Thorough examination of the application is sincerely appreciated.

According to the Office Action, claims 1-3, 5, 6 and 10-17 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication 2002/0022453 (Balog) in view of US Patent 6,393,407 (Middleton). Claims 4 and 7-9 were rejected under 35 USC 103(a) as being obvious over Balog in view of Middleton and further in view of U.S. Patent Publication 2002/0151275 (Trost). In response, Applicant respectfully disagrees with, and explicitly traverses, the reasons for rejecting Applicant's claims.

To expedite the prosecution of the application and without conceding any statements or waiving any arguments advanced in the Office Action, Applicant provides a declaration under 37 CFR 1.131 with the supporting documentation for entry into the record. Based on the supporting documentation enclosed with the declaration, it is respectfully submitted that Applicant's date of invention is at least as early as November 5, 1999. As is apparent from the enclosed documentation, the inventors filled out an invention disclosure form on November 5, 1999, and submitted the completed form to Koninklijke Philips Patent department, which was stamped as received November 10, 1999. Thereafter, the invention disclosure was diligently processed until the filing of the application.

Since the showing of facts clearly establish conception of Applicant's invention prior to the effective date of Balog coupled with due diligence from prior to said date to the filing of the application, Balog does not qualify as prior art.

Middleton was not relied upon by the examiner for the disclosure of those features allegedly taught by Balog. Thus, even if assuming for the sake of argument that Middleton is

properly applied in the Office Action, Middleton by itself is not sufficient to render the Applicant's invention unpatentable.

At least for the above reasons, Applicant submits that the rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Analysis of independent claims 12 and 14 is analogous to the one of claim 1, as presented hereinabove. To avoid repetition, claims 12 and 14 will not be discussed in detail with the understanding that it is patentable at least for the same reasons as claim 1. Applicant, therefore, respectfully requests withdrawal of the rejection and allowance of claims 12 and 14.

Claims 2-11, 13 and 15-17 depend, either directly or indirectly, from independent claims 1, 12 and 14, which have been shown to be allowable over the prior art reference. Accordingly, these claims are also allowable by virtue of their dependency from the allowable base claims. Applicant submits that the reason for the rejection of claims 2-11, 13 15-17 has been overcome and respectfully requests withdrawal of the rejection and allowance of those claims.

With respect to claims 4 and 7-9, which depend from independent claim 1, either directly or indirectly, Applicant essentially repeats the above arguments to submit that Trost by itself is not relied upon to reject claims 4 and 7-9. Therefore, Applicant's claims 4 and 7-9 are allowable over the prior art of record. Withdrawal of the rejection is respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited. However, if for any reason this application is not considered to be in


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condition for allowance, the Examiner is respectfully requested to call the undersigned attorney at the number listed below prior to issuing a further Action.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

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Respectfully submitted,

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